

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
March 23, 2009**

The Council of Muscle Shoals, Alabama met at the City Hall in said City at 6:15 p.m. on the 23rd day of March 2009 being the regularly scheduled time and approved place for said meeting. The meeting was called to order by David Bradford, Mayor of the City. The invocation was given by Rusty Wheelles. On roll call the following members were found to be present or absent, as indicated:

PRESENT: JOE PAMPINTO, NEAL WILLIS, JERRY KNIGHT GRISSOM
ALLEN NOLES, DAVID H. BRADFORD
ABSENT: JAMES HOLLAND

Richard Williams, City Clerk, was present and kept the minutes of the meeting.

David Bradford, Mayor of the City, presided at the meeting and declared that a quorum was present and that the meeting was convened and opened for the purposes of transaction of business.

Upon motion duly made by Council Member Pampinto, seconded by Council Member Willis and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of March 2, 2009 and approved the minutes as written.

Mayor Bradford announced that the next item of business was consideration of a resolution to award a bid for the purchase of a trailer for the public works department.

Council Member Willis introduced the following resolution which was presented in the meeting and moved for its adoption:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2384-09

BE IT RESOLVED by the Council of the City of Muscle Shoals, Alabama as follows:

[1] That the Purchasing Agent did send out advertisements for bids for the purchase of a lowboy trailer to be utilized in the Public Works Department, the bid opening being held March 5, 2009 at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

<u>BIDDER:</u>	<u>BID AMOUNT:</u>
Better Built Trailers, Inc.	\$22,900.00
Carolina Trailers & Equipment	26,600.00
Trailboss Trailers, Inc.	33,865.00
Warrior Tractor & Equipment	37,560.00

[3] The lowest, responsive, and responsible bidder has been determined as Better Built Trailers, Inc. with a total bid price of \$22,900.00 for the purchase of one, new lowboy trailer. The apparent low and best bidder, Better Built Trailers, Inc. is now awarded the bid.

Council Member Noles seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business was consideration of a resolution to award a bid for the construction of sidewalks partially funded by the Alabama Department of Transportation's 2008 Traffic Enhancement Grant program.

Council Member Noles introduced the following resolution which was presented in the meeting and moved for its adoption:

STATE OF ALABAMA
COUNTY OF COLBERT

RESOLUTION NO. 2385-09

BE IT RESOLVED by the Council of the City of Muscle Shoals, Alabama, as follows:

[1] That the City Engineer did send out advertisements for bids for the construction of the 2008 Sidewalk Improvements Project (ALDOT Project # STPTE-TE08(907), the bid opening being set for the 17th day of March, 2009, at the City Hall of the City of Muscle Shoals, Alabama.

[2] At the appointed time and place, as specified above, the following bids were opened and tabulated as follows:

	<u>CALLENCO, LLC</u>	<u>JOE KEENUM CONSTRUCTION</u>
BASE BID	\$253,288.17	\$294,774.75
ALTERNATE #1	20,621.20	17,800.00
ALTERNATE #2	33,199.00	35,000.00
TOTAL BID INCLUDING ADD ALTERNATES 1 & 2:	\$307,108.37	\$347,574.75

[3] After evaluation of the bids, it has been determined that Callenco, LLC does not have the licensing classification to perform work on this particular project and formally withdrew their submitted bid.

[4] It has been determined that the lowest, responsive and responsible bid was submitted by Joe Keenum Excavation & Construction, Inc. in the amount of \$347,574.25 (including all Add Alternates).

[5] BE IT FURTHER RESOLVED, that Joe Keenum Excavation and Construction, Inc. is hereby awarded the bid contingent upon final approval and notice to proceed from the Alabama Department of Transportation.

Council Member Grissom seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business was consideration of a resolution to award approve an agreement with the Alabama Department of Transportation for upgrade of the state traffic signals in the city.

Council Member Grissom introduced the following resolution which was presented in the meeting and moved for its adoption:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2386 - 09

BE IT RESOLVED, by the City Council of the City of Muscle Shoals, Alabama as follows:

1. That the City enter into an agreement with the State of Alabama for the upgrade of traffic control signals on all state routes within the City limits; which agreement is before this Council;
2. That the agreement be executed in the name of the City, for and on behalf of the City, by its Mayor.
3. That it be attested by the Clerk and the seal of the City affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City Clerk.

Council Member Pampinto seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business was consideration of a resolution to approve an agreement with White, Lynn, Collins & Associates for engineering work on East Avalon Avenue from Wilson Dam Road to Webster Street.

Council Member Pampinto introduced the following resolution which was presented in the meeting and moved for its adoption:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2387 -09

WHEREAS, the City Council of the City of Muscle Shoals, Alabama has received an instrument styled AGREEMENT for PROJECT DBOA-8828(003) with White, Lynn, Collins & Associates, Inc. pertaining to Improvements to Avalon Avenue from SR 133 (Wilson Dam Road) to Webster Street in the City of Muscle Shoals; and

WHEREAS, the City Council has reviewed the contents of the instrument and finds that said instrument is in due form and proper order and upon consideration of same determines that it is wise and expedient that the City execute and deliver said instrument to White, Lynn, Collins & Associates, Inc. and other interested parties; and

WHEREAS, the City Council finds that other instruments and related documents may be required in connection with said project and is desirous of authorizing the execution and delivery of other instruments and related documents in connection with said project and the facilitation of the commencement and completion of the said project herein above described;

BE IT HEREBY RESOLVED that the City Council of the City of Muscle Shoals, Alabama, does hereby authorize and direct the Mayor of the City, David H. Bradford, for and on behalf of the City to execute the instrument styled AGREEMENT for PROJECT DBOA-8828(003) with White, Lynn, Collins & Associates, Inc. pertaining to Improvements to Avalon Avenue from SR 133 (Wilson Dam Road) to Webster Street in the City of Muscle Shoals;

BE IT FURTHER RESOLVED that the Mayor of the City, David H. Bradford, be, and hereby is, authorized to execute and deliver any instruments and related documents in connection with the installation of said project herein described that may be required during the commencement of and through the completion of the said project.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be prepared forthwith by the Clerk and delivered unto White, Lynn, Collins & Associates, Inc. and the State of Alabama along with the executed instrument pertaining to the project herein described and furthermore shall retain a copy to be kept on file by the said Clerk.

Council Member Willis seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business was consideration of a resolution to appoint three members to the SCOPE 310 Board.

Mayor Bradford called for a vote on the candidates for appointment and a roll call vote was had and the vote recorded as follows:

Council Member Pampinto: Judith McMeans, Wayne Holt, Lynn Holt

Council Member Willis: Judith McMeans, Wayne Holt, Lynn Holt

Council Member Grissom: Judith McMeans, Wayne Holt, Lynn Holt

Council Member Holland: Judith McMeans, Wayne Holt, Lynn Holt

Council Member Noles: Judith McMeans, Wayne Holt, Lynn Holt

Mayor Bradford: Judith McMeans, Wayne Holt, Lynn Holt

Council Member Pampinto introduced the following resolution which was presented in the meeting and moved for its adoption:

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2388 - 09

WHEREAS, the terms of members of the SCOPE 310 Board have expired and the City Council being desirous of making the necessary appointments to said board within the City;

WHEREAS, notice was given to the public of the three pending vacancies and applications solicited for members to said board;

WHEREAS, the following individuals made proper application and met the requirements for appointment, are eligible for appointment to fill the pending vacancy:

Judith McMeans

Wayne Holt

Lynn Holt

WHEREAS, a roll call vote was had by the Mayor and City Council as follows:

Council Member Pampinto: Judith McMeans, Wayne Holt, Lynn Holt

Council Member Willis: Judith McMeans, Wayne Holt, Lynn Holt

Council Member Grissom: Judith McMeans, Wayne Holt, Lynn Holt

Council Member Noles: Judith McMeans, Wayne Holt, Lynn Holt

Mayor Bradford: Judith McMeans, Wayne Holt, Lynn Holt

WHEREAS, Mayor Bradford announced that Judith McMeans, Wayne Holt, Lynn Holt had received a majority of the votes cast, now

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama does hereby appoint the following named persons to serve as set forth herein:

<u>APPOINTEE</u>	<u>BOARD</u>	<u>EXPIRATION OF TERM</u>
Judith McMeans	SCOPE 310	April 2015
Wayne Holt	SCOPE 310	April 2015
Lynn Holt	SCOPE 310	April 2015

The Clerk is hereby directed to notify the above named persons of their appointment and to further notify the respective board of said appointments.

Council Member Willis seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

Mayor Bradford announced that the Resolution had been approved.

There being no further business to come before the meeting, upon the motion duly made, seconded and unanimously carried, the meeting was adjourned.

CITY OF MUSCLE SHOALS, ALABAMA
a Municipal Corporation

MAYOR

COUNCIL MEMBER - PLACE ONE

COUNCIL MEMBER - PLACE TWO

COUNCIL MEMBER - PLACE THREE

COUNCIL MEMBER - PLACE FOUR

COUNCIL MEMBER - PLACE FIVE

ATTEST:

CITY CLERK